

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS EASTERN DISTRICT

THE FAMILY ROSARY, INC.

Plaintiff,

-against-

Civil Action No.  
CA No. 30277 DPW

BOWDOIN CONSTRUCTION CORP.;  
ST. PAUL FIRE & MARINE INSURANCE COMPANY,

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**MOTION PURSUANT TO FRCP 6(b)2 PERMITTING  
THE LATE SERVICE OF PLAINTIFF'S OPPOSITION  
TO DEFENDANTS' MOTION**

Pursuant to FRCP 6(b)2, the plaintiff, The Family Rosary, Inc. moves the court to permit the late service of plaintiff's opposition to defendants' motion for stay of action and application for order directing plaintiff to proceed to arbitration. In support of this motion, the plaintiff submits the affirmation of Michael L. Costello, Esq. and the accompanying affidavit of William J. Riley in opposition to defendants' motion.

WHEREFORE, the plaintiff respectfully requests that: The Court permit the late service of plaintiff's opposition to defendants' motion for stay of action; the Court consider the defendants' motion for stay at the scheduling conference of March 23, 2004; and for such other and further relief as the Court deems proper.


**Certification of Counsel**

I, Michael L. Costello, attorney for plaintiffs, hereby certify pursuant to U.S.D.Ct., L.R. 7.1 that I have attempted to confer with counsel and have attempted in good faith to resolve the issues that are the subject of this motion.

For the Plaintiff,  
The Family Rosary, Inc.  
By its Attorneys,  
Tobin and Dempf, LLP

Dated: February 10, 2004

By:

A handwritten signature in black ink, appearing to read "Michael L. Costello", written over a horizontal line.

Michael L. Costello  
33 Elk Street  
Albany, NY 12207  
Tel: (518) 463-1177  
Fax: (518) 463-7489  
Pro Hac Vice Order of 12/29/2003

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served upon all attorneys of record by mailing copies of same, via Federal Express, on February 10, 2004 to:

Warren H. Brodie, Esq.  
40 Grove Street  
Wellesley, MA 02482

A handwritten signature in black ink, reading "Michael L. Costello". The signature is written in a cursive style with a large initial "M".

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MICHAEL L. COSTELLO